No.



8200138

HHE UNKHED SHAYIES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Goldsmith Seeds, Inc.

Wilhereas. There has been presented to the

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to exude others from selling the variety, or offering it for sale, or reproducing it, umporting it, or exporting it, or using it in producing a hybrid or different ty therefrom, to the extent provided by the Plant Variety Protection Act 1542, as amended, 7 U.S.C. 2321 ET SEQ.)

MUSKMELON

'Musketeer'

In Testimony Wathercot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be afficed at the City of Washington

this 21st day of July in the year of our Lord one thousand nine hundred and eighty-three.

(LARID

Secretary of Agriculture

Aller

Kenneth HEvan

Plant Variety Protection Office

Grain Wivision A. G. G. G.

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE			FO	FORM APPROVED: OMB NO. 0581-0000 No certificate for plant variety protectio may be issued unless a completed application form has been received (5 U.S.C.		
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE		may catio				
1. NAME OF APPLICANT(S)	cuons on reverse)		553			
GOLDSMITH SEEDS, INC.		2. TEMPORARY DESIGNATION	1 -	Muskete		e e
4. ADDRESS (Street and No. or R.F.D. No., City	, State, and Zip Code	e) 5. PHONE (Include area code)	- 7	FOR OFF	ICIAL USE O	NLY
2280 Hecker Pass Hwy. Gilroy, California 95020		408/847-2769		8200138		
6. GENUS AND SPECIES NAME	7. FAMILY N	AME (Botanical)	+	DATE		
Cucumis Melo L.	Cucurbit	aceae	FILING	7/6/3 TIME 2:00	82 - – – – Пам.	- - ХХР.м.
8. KIND NAME		DATE OF DETERMINATION	+-	AMOUNT	FOR FILING	
Muskmelon		WAR-BECAME DISTUCT \$/15/1	۾ اھ	<u>s</u> 500	.00	
		SEED INCREASED 7/1/80	RECEIVED	DATE 7/6/	-	
10. IF THE APPLICANT NAMED IS NOT A "PE partnership, association, etc.)	RSON," GIVE FOR	M OF ORGANIZATION (Corporation	7 8	AMOUNT	FOR CERTIF	ICATE
			FEES	\$ 250.		
Corporation			"	DATF/1/	83	
11. IF INCORPORATED, GIVE STATE OF INCO	DRPORATION		12.	12. DATE OF INCORPORATION		
California 13. NAME AND ADDRESS OF APPLICANT REP	PRESENATIVE(S)	E ANY TO SERVE IN THIS APPLIE	ATION	LAND SEC	EIVE ALL DA	DE De
 Exhibit A, Origin and Breeding History of Section 52 of the Plant Variety Protection Exhibit B, Novelty Statement DOES THE APPLICANT(S) SPECIFY THAT SEED? (See Section 83(a) of the Plant Variety 	on Act.) SEED OF THIS VAR	c. Exhibit C, Objective from Plant Variety P. d. Exhibit D, Additional Exhibit D, Additional Yes (If "Yes," answer	l Descri	ption of the	Variety	`. *
16. DOES THE APPLICANT(S) SPECIFY THAT LIMITED AS TO NUMBER OF GENERATIO	THIS VARIETY BE	17. IF "YES" TO ITEM 16,	WHICH			
Yes V No	110:	BEYOND BREEDER SE		egistered	\Box	Certified
18. DID THE APPLICANT(S) FILE FOR PROTEC	CTION OF THE VAI					
					Yes (If "Yes, of countries a	
19. HAVE RIGHTS BEEN GRANTED IN THE U.	S. OR OTHER COU	NTRIES?		<u>kx</u>	No .	· · · · · · · · · · · · · · · · · · ·
					Yes (If "Yes, of countries a	" give name: and dates)
20. The applicant(s) declare(s) that a viable some plenished upon request in accordance with	ample of basic seed	ls of this variety will be furnished as may be applicable	d with	the applica	No tion and will	l be re-
The undersigned applicant(s) is (are) the distinct, uniform, and stable as required in Variety Protection Act.	owner(s) of this se	xually reproduced novel plant va	riety, a e prov	and believe(isions of Se	s) that the v ction 42 of	ariety is the Plant
Applicant(s) is (are) informed that false re	epresentation here	in can jeopardize protection and	result	in penalties	i.	
SIGNATURE OF APPLICANT/	Ine lig			ATE	3116	
SIGNATURE OF APPLICANT		mux . There	7 6	<i>l' </i>	. 3/, / 7	0 2
	4				Ş.,	1

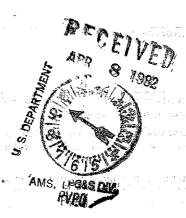
FORM LMGS-470 (9-81) (Edition of 1-78 is obsolete)

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

Item

- Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



Cantaloupe

Musketeer

13A Exhibit A:

Pedigree: Minn 266/Harrow H5517 -1-2-1-1

Muskeeter as the result of Minn 266 bush crossed to Harrow H5517 to get a very early bush with good flavor, size and fair set.

Bush Minn 266 was crossed to H5517. The $\rm F_1$, was selfed and bush melons of high quality were selected in the $\rm F_2$. These selections went through 4 generations of selfing and selecting.

Production fields are very uniform for plant type.

This uniformity, has been observed over 5 generations of production. There is no variation in plant habit. The netting on 1 plant in 50 has slightly more net.

There are no other variants.

13 B Exhibit B Novelty Statement

Musketeer is most similar to "Minnesota 266" in all characteristics.

"Musketeer differs from "Minnesota 266" as the fruit of "Musketeer" has bright orange flesh instead of very pale orange and "Musketeer" has a yellow green colored rind instead of green. The rind of "Musketeer" is also thicker than "Minnesota 266" and the net of the fruit is also more pronounced than "Minnesota 266".

"Minnesota 266".

"Minnesota 266".

The color chart readings from the "Munsell Book of Golor" indicate "Musketeer" at full slip to have a flesh color of 31-6 and "Minnesota 266" to have a flesh color of 31-4. The rind color of Musketeer is 24-2 and Minnesota 266 is 21-2.

PAGE 1 OF 3

FORM GR-470-38 (6-76)

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION BELTSVILLE, MARYLAND 20705

OBJECTIVE DESCRIPTION OF VARIETY

Muskmelon (Cucumis melo L.)

NAME OF APPLICANT(S)	VARIETY NAME OR TEMPORARY DESIGNATION
COLDSMITH SEEDS INC	Musketeer
GOLDSMITH SEEDS INC ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)	FOR OFFICIAL USE ONLY
2280 Hecker Pass Hwy. Gilroy, California 95020	8200138
Place the appropriate number that describes the varietal character of this variety in the boxes be place a zero in first box (e.g. 089 or 09) when number is either 99 or less.	elow.
1. TYPE:	
1 = PERSIAN 2 = HONEY DEW 3 = CASABA 4 = CRENSHAW 6 = OTHER	5 = COMMON OR SUMMER
2. AREA OF BEST ADAPTATION IN U.S.A.	
1 = SOUTHEAST 2 = NORTHEAST/NORTHCENTRAL 3 = SOUTHWEST	4 = MOST AREAS
3. MATURITY (FROM SEEDING TO HARVEST):	
0 9 2 DAYS	
1= FORDHOOK	51 (MIDSEASON)
1 1 1	cify) Short N Sweet
4. PLANT:	
1 = ANDROMONOECIOUS 2 = MONOECIOUS 3 = GYNOECIOUS	4 = OTHER
3 1 = VINE 2 = SEMI-BUSH 3 = BUSH	
5. LEAF (MATURE BLADE OF THIRD LEAF)	
SHAPE: 1 = ORBICULAR 2 = OVATE 3 = RENIFORM	
1 = NOT LOBED 2 = SHALLOWLY LOBED 3 = DEEPLY LOBED	
2 1 = LIGHT GREEN (HONEY DEW) 2 = MEDIUM GREEN 3 = DK. GREEN	N (RIO GOLD)
0 2 4 mm LENGTH 0 2 8 mm WI	отн
2 SURFACE: 1 = PUBESCENT 2 = GLABROUS 3 = SCABROUS	
6. FRUIT (AT EDIBLE MATURITY):	
1 3 cm LENGTH 1 3 cm DIAMETER	1 3 6 2 gm WEIGHT
3 SHAPE: 1 = OBLATE 2 = OVAL 3 = ROUND 4 = ELONGATE-CY	/LINDRICAL 5 = SPINDLE 6 = ACORN
2 SURFACE: 1 = SMOOTH 2 = NETTED 3 = CORRUGATED 4 = W	/ARTED
1 BLOSSOM SCAR: 1 = OBSCURE 2 = CONSPICOUS	
1 RIBS: 1 = ABSENT 2 = PRESENT	[──
NO. RIBS PER FRUIT mm RIB WIDTH AT MEDIA	1 = SMOOTH 2 = NETTED
SUTURES:	
1 = SHALLOW (GOLDEN DELIGHT) 2 = MEDIUM 3 = DEEP (HACKENS)	ACK)
1 = SMOOTH 2 = NETTED	
2 SHIPPING QUALITY: 1 = POOR (HOME GARDEN) 2 = FAIR (SHORT DISTAL 3 = EXCELLENT (LONG DISTANCE SHIPPING)	NCE SHIPPING)
	4

3 = DO NOT ABSCISS

FRUIT ABSCISE: 1 = WHEN RIPE 2 = WHEN OVERRIPE

* STATE GENUS, SPECIES, AND RACES WHEN KNOW, UNDER ITEM 16.

5

CHARACTER	VARIETY	CHARACTER	VARIETY
DAYS MATURITY	Perlita	FRUIT SHAPE	Planter Jumbo
PLANT VIGOR	Bush Hybrid	RIND COLOR	Harper
PLANT HABIT	Short N Sweet	FLESH AROMA	
FRUIT NETTING	Gold Star	FLESH FLAVOR	Harper
FRUIT SIZE	Planter Jumbo	FLESH COLOR	Early Dawn

16. ADDITIONAL INFORMATION AND COMMENTS:

13D Exhibit D. Additional Description of "Musketeer"

Muskeeter is a bush muskmelon, Cucumis melo. L.

Muskeeter is similar to Perlita in days to maturity in Gilroy, California.

The bush habit is about $2\frac{1}{2}$ to 3 feet across. The habit is similar to Bush Hybrid from Parks.

The fruits are round with sparse coarse net. The rind of the fruit is creamy yellow at maturity. The flesh color is orange with firm texture. Soluable solid at center of fruit average 13%.

Muskeeter has no disease resistance to powdery mildew or fusarium wilt.

ASSIGNMENT OF UNITED STATES PLANT VARIETY PROTECTION CERTIFICATE

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Goldsmith Seeds, Inc., a California corporation 2280 Hecker Pass Highway, Gilroy, California 95020, does hereby sell, assign, transfer and convey to Northrup King Co., a Delaware corporation, 1500 Jackson Street N.E., Minneapolis, Minnesota 55413, the entire right, title and interest in and to the following United States Plant Variety Protection Certificate together with all the rights described and claimed therein:

Certificate Number	Variety	Date Issued
8200138	Musketeer	July 21, 1983

the same to be held and enjoyed by said Northrup King Co. for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives, for the full term or terms for which said Certificate is or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by said Goldsmith Seeds, Inc. if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said Certificate, including the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives.

IN WITNESS WHEREOF, Goldsmith Seeds, Inc. has caused this assignment to			
be executed by its duly a	authorized officer, effective the /6 day of		
JANUARY, 1985.			
	GOLDSMITH SEEDS, INC.		
	By: William J Park		
(CORPORATE SEAL)			
STATE OF California)) ss.		
STATE OF California)		

On this 26th day of February , 1985, before me, a Notary Public in and for the county and state aforesaid, personally appeared William J. Park , to me personally known, who, being by me duly sworn, did say that he is the Vice President of Goldsmith Seeds, Inc.; that the seal affixed to the foregoing assignment is the corporate seal of Goldsmith Seeds, Inc. and that the assignment was executed in behalf of Goldsmith Seeds, Inc. by authority of its board of directors; and did acknowledge the assignment to be the free act and deed of Goldsmith Seeds, Inc.

Witness my hand and seal the day and year first set forth above.

OFFICIAL SEAL

YVONNE NAVARRETE

NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN

SANTA CLARA COUNTY
MY COMMISSION EXPIRES OCT 31 1985

Notary Public

ASSIGNMENT OF UNITED STATES PLANT VARIETY PROTECTION CERTIFICATE

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the individuals whose signatures appear on the second page of this document do hereby sell, assign, transfer and convey to Northrup King Co., a Delaware corporation, 1500 Jackson Street N.E., Minneapolis, Minnesota 55413, the entire right, title and interest in and to the following United States Plant Variety Protection Certificate together with all the rights described and claimed therein:

Certificate Number	Variety	Date Issued
8200138	Musketeer	July 21, 1983

the same to be held and enjoyed by said Northrup King Co. for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives, for the full term or terms for which said Certificate is or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by said individuals if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said Certificate, including the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives.

IN WITNESS WHEREOF, the individuals below have duly executed this assignment, effective the 16 day of JANUARY, 1985.

Slem 9 Soldsmith

Glenn A. Goldsmith

James E. Goldsmith

Geo. W. Parks Seed Co., Inc.

Joer G. Goldsmith

By: Milliam A. Goldsmith

Richard C. Soldsmith

Richard C. Soldsmith

Richard C. Goldsmith

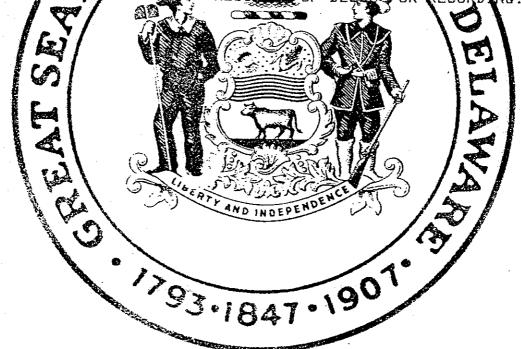
William A. Goldsmith

David A. Gilbarr

State of Delaware Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "NORTHRUP KING CO.", CHANGING ITS NAME FROM "NORTHRUP KING CO." TO "NOVARTIS SEEDS, INC.", FILED IN THE FRACE ON THE THERTIETH DAY OF DECEMBER, A.D. 1994, ALS O'BLOCK A.M.

A CERTIFIED COPY OF THIS CERTIFICATE WAS BEEN FORWARDED TO





Edward J. Freel, Secretary of State

0829320 38100

960389892

AUTHENTICATION:

8267947

DATE:

12-31-96

CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

OF

NORTHRUP KING CO.

It is certified that:

- 1. The name of the corporation (hereinafter called the "Corporation") is Northrup King Co.
- 2. The Certificate of Incorporation of the Corporation is hereby amended by striking out Section 1 thereof and by substituting in lieu of said Section the following new Section.
 - 1. The name of the Corporation is Novartis Seeds, Inc.
- 3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.
 - 4. The effective date of the amendment herein certified shall be January 1,1997.

Signed on December 27, 1996.

Edward C. Resler

Vice President & Secretary